

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN THE APPLICATION OF:

ANTHONY J. KINNEY ET. AL.

CASE NO.: BB1538USNA

APPLICATION NO.: 10/776311

CONFIRMATION NO.: 4023

GROUP ART UNIT: 1638

EXAMINER: DAVID T. FOX

FILED: FEBRUARY 11, 2004

FOR: PRODUCTION OF VERY LONG CHAIN POLYUNSATURATED FATTY ACIDS  
IN OIL SEED PLANTS

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**Response to Notice of Non-Compliant Amendment Pursuant to 37 CFR §1.121**

**VIA EFS-WEB**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is submitted in response to the Notice of Non-Compliant Amendment Pursuant to 37 CFR §1.121 dated January 21, 2009. Entry of this Response and the Response After Final dated October 10, 2008 are respectfully requested as it is believed that this Response addresses the issues raised with respect to the status identifiers of the claims. Reconsideration is respectfully requested and the following is submitted in support thereof.